THE PORT AUTHORITY OF NY & NJ

Memorandum

TO All Facility Managers
FROM Richard Peduto
DATE: October 3, 1989
SUBJECT: EMPLOYEES AUTHORIZED TO DISTURB ASBESTOS

REFERENCE: Memo to A. Barber, R. Kelly, P. LaRocco, L. Liburdi M. Sloan, From: R. Peduto, Dated 5/19/89

COPY TO: S. Berger, P. Falvey, S. Frigand, K. MacKay, H. O'Neill, M. Pachter, J. Vanacore, B. Weintrob, Line and Staff Department Directors

During the course of presenting asbestos awareness this summer, a number of staff asked about The Port Authority's policy concerning who is authorized to disturb asbestos at our facilities. Although the question was answered when asked, I thought it appropriate to cover this issue with you.

In the referenced memorandum above, you will note it is The Port Authority's policy that **"no employee is authorized to disturb asbestos unless properly trained"**. In the context of our policy, this means that at a minimum, an employee must have successfully completed an approved asbestos operations & maintenance training program:

- to disturb even minor amounts of asbestos while performing routine or emergency assignments
- come into contact with asbestos fallout

In general, work areas involving significant amounts of asbestos, i.e. in excess of 10 square feet or 10 linear feet of asbestos containing material, are normally performed by either the assigned call-in contractor or a contractor from our select list.

It should be mentioned, however, the mere presence of asbestos in an area does not preclude any employee from entering that area to perform his/her work assignments. To reiterate, if asbestos is not going to be disturbed during the work assignment, any employee can perform his/her work assignments throughout the entire facility.

If there are further issues to discuss on this subject or any others concerning our Asbestos Control Program, please feel free to contact me directly.

Richard Peduto, Director
Asbestos Control Program

Attachment

THE PORT AUTHORITY OF NY & NJ Memorandum

TO: A. Barber, R. Kelly, P. LaRocco, L. Liburdi, M. Sloane
FROM: Richard Peduto
DATE: May 19, 1989
SUBJECT: ASBESTOS POLICIES, PRACTICES AND PROCEDURES

COPY TO: S. Berger, P. Falvey, S. Frigand, K. MacKay, H. O'Neill, M. Pachter, B. Weintrob, J. Vanacore; Staff Department Directors, Facility Managers, Resident Engineers' Offices

Over the last several months, my staff, your representatives and those of key staff departments have been developing a Port Authority approach to asbestos management and control. The attached document is the product of that effort and reflects the best practices of both the public and private sectors. In conducting our program as described, we will ensure that Port Authority facilities continue to remain asbestos safe for our patrons, tenants and employees.

As you all know, asbestos, when in good condition and undisturbed, is safe. However, when emergencies arise or disruption is required, it can become hazardous. Therefore, it is imperative that the policies, practices and procedures which we have been employing for some time and enumerated in the attached be strictly followed.

As we gain more experience with managing asbestos, and as the federal, state and local legislative and regulatory environments evolve and the industry matures, we will reconsider the way we handle this program and make changes when appropriate.

I wish to thank and commend the members of our staff departments and your respective staffs who have been active in formulating and implementing our asbestos program.

Richard P. Peduto
Program Director
Asbestos Control Program

Attachment

THE PORT AUTHORITY OF NEW YORK & NEW JERSEY
ASBESTOS MANAGEMENT AND CONTROL PROGRAM

One of the principal objectives of The Port Authority of New York & New Jersey is to maintain safe facilities for patrons, tenants, employees and others. Since asbestos is present at Port Authority facilities and, if disturbed, may present a potentially hazardous condition, a policy and implementing practices and procedures have been developed.

I Policy

It is the policy of The Port Authority to undertake asbestos abatement and related actions in a cost-efficient and effective manner when:

- o Unsafe or potentially hazardous conditions require action.
- o Asbestos will be disturbed to perform necessary operations and maintenance work and/or to advance capital projects.
- o Abatement is part of a business arrangement or marketing strategy.

To achieve these policies, The Port Authority has established the following practices and procedures.

II Practices

- o Properties under the jurisdiction of the Port Authority are surveyed to determine the presence and condition of asbestos material (i.e. air and raw bulk samples are analyzed).
- o When asbestos containing materials (ACM) are found, they are prioritized and action is taken when appropriate.
- o Asbestos surveys are consulted before any material suspected to contain ACM is disturbed.
- o In the absence of survey data, employees working in areas typically having ACM must assume that asbestos is present.
- o Port Authority safety requirements, (which incorporate the mandates of federal law and the general practice of following local government laws and regulations where appropriate), are observed in situations where asbestos may be disturbed.

III Procedures

A. Training

- o No employee is authorized to disturb asbestos unless properly trained.
- o Port Authority staff working in the proximity of asbestos or having asbestos issues involved with their work assignments are required to attend four (4) hours of Asbestos Awareness Training.
- o An employee is authorized to disturb up to 10 square feet (or 10 linear feet) of asbestos using appropriate work procedures, provided he or she has had a minimum of sixteen (16) hours of specific asbestos training.

B. Abatement - Port Authority Process

- o Determination as to whether asbestos abatement is necessary and how it should be performed, is, in the first instance, the responsibility of the facility staff, the Resident Engineer's office, the Asbestos Management and Compliance Division and the Environmental Unit of the Engineering Design
- o After asbestos abatement is deemed appropriate, the Asbestos Management and Compliance Division is responsible for the issuance of an Asbestos Abatement Permit authorizing the work to be performed in accordance with agreed upon procedures and submittals.
- o Upon request, the Manager of the Asbestos Management and Compliance Division may approve a variance to abatement regulations or operations and maintenance work procedures.
- o Generally, all Port Authority abatement contracts are monitored on a full time basis by a member of the Asbestos Management and Compliance Division, their consultant or, when qualified and available, facility staff under the direction of the Asbestos Management and Compliance Division.
- o Asbestos Management and Compliance Division performs final air clearance testing for all Port Authority abatement contracts.
- o Abatement work in excess of $150,000.00 is generally awarded through the competitive bid process to contractors who have been pre-qualified and are on current select lists.

- o Call-In asbestos abatement contracts do not exceed $150,000.00 unless otherwise approved by the Engingeering Design Division's Environmental Engineering Unit, the Asbestos Management and Compliance Division, and the Asbestos Control Program.

C. Abatement - Tenant Process

- o No tenant area is altered nor is an asbestos abatement permit issued without an approved Tenant Alteration Application from the Port Authority.
- o Tenant abatement work is performed in accordance with Port Authority specifications.
- o Tenant abatement work is approved by the Asbestos Management and Compliance Division and the Engineering Design Division's Environmental Engineering Unit.
- o Tenant abatement work is audited by the Asbestos Management and Compliance Division and re-occupancy is authorized after final air clearance is either conducted or reviewed by the Asbestos Management and Compliance Division.

IV Funding

- o Annual expenditures for asbestos abatement are budgeted within departmental budgets.
- o Line departments, with the assistance of the Environmental Unit of the Engineering Design Division and the Asbestos Management and Compliance Division of the Treasury Department, utilize facility baseline surveys to identify and propose asbestos resource requirements.
- o Proposed departmental asbestos resource requirements are consistent with the Executive Director's Guidance and departmental financial targets.
- o Specific asbestos abatement work is proposed on the Asbestos Resource Requirement Form which is reviewed by the Asbestos Control Program staff prior to budget submittals to the Management and Budget Department.
- o Funds for unbudgeted and approved asbestos abatement work are provided through trade-offs of budgeted asbestos projects or from offsets of other approved resources.